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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/526,649

03/03/2005

David Jensen

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EXAMINER

LAUX, JESSICA L

ART UNIT

PAPER NUMBER

3635

MAIL DATE

DELIVERY MODE

02/26/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/526,649	Applicant(s) JENSEN, DAVID	
	Examiner Jessica Laux	Art Unit 3635	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>05/02/06; 01/30/06; 08/15/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

Claim 18 objected to because of the following informalities: the claim is missing a period at the end. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-18 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Daily et al (6076324) or Priluck (6076324) either alone or in view of either WO 02/10535 or GB 2049613 (both submitted by applicant).

Regarding claims 1-13, 15-1618: Daily and Priluck both disclose a three-dimensional grid panel, comprising:

- a) two spaced-apart substantially parallel grids, each having:
 - i) a first plurality (at least 3) of spaced-apart elongated components (Daily figure 5; Priluck figure 4 – top element); and
 - ii) a second plurality (at least 3) of spaced-apart elongated components oriented transverse to the first plurality of components and intersecting the first plurality of components at nodes (Daily figure 5; Priluck figure 4 – bottom element); and

iii) the nodes of the two spaced-apart grids are off-set or aligned with respect each other (Daily figure 5; Priluck figure 4); and

iv) the first and second plurality of components being disposed in a layer having a thickness substantially the same as a thickness of the components (Daily figure 5; Priluck figure 4); and

b) an intermediate grid, having a thickness greater than the thickness of the two spaced apart grids, and disposed between and interconnecting the two spaced apart grids (Daily figure 5; Priluck figure 4 – middle element), the intermediate grid having at least:

i) a first plurality of intermediate components, each extending between nodes of the two spaced-apart grids; and

ii) a second plurality of intermediate components, oriented transverse to the first plurality of intermediate components and intersecting the first plurality of intermediate components at nodes, each of the second plurality of intermediate components extending between nodes of the two spaced-apart grids (Daily figure 5; Priluck figure 4).

Daily and Priluck may or may not expressly disclose that the geometric grid components are made of continuous strands of fiber.

WO 02/10535 or GB 2049613 both disclose space structures/grids composed of grid components made of continuous strands of fiber. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the components of Daily or Priluck to be made of continuous

strands of fiber because the material is lightweight and has a high strength to weight ratio ideal for truss structures.

Regarding claims 14, 17: A panel in accordance with claim 9, wherein the first plurality of spaced-apart, elongated components are longitudinal components; wherein the second plurality of spaced- apart elongated components are lateral components with respect to the longitudinal components (see Daily figure 5 and Priluck figure 4); and

wherein the two spaced-apart grids each further have:

a first plurality of diagonal components oriented transverse to both the longitudinal and lateral components and intersecting the longitudinal and lateral components at the nodes; and a second plurality of diagonal components oriented transverse to the first plurality of diagonal components, and the longitudinal and lateral components, and intersecting the longitudinal and lateral components (Daily figure 5; Priluck figure 4).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jessica Laux whose telephone number is 571-272-8228. The examiner can normally be reached on Monday thru Thursday, 9:00am to 5:00pm (est).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on 571-272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3633

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jeanette E Chapman/
Primary Examiner, Art Unit 3633

/J. L./
Examiner, Art Unit 3635
02/13/2008